

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**In re:**

**COLETTE NMN MAPP,  
DEBTOR.**

**CHAPTER 13  
CASE NO. 17-30630-KRH**

**OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN**

**NOTICE**

**YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)**

**IF YOU DO NOT WISH THE COURT TO SUSTAIN THE OBJECTION SOUGHT HEREIN, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE OBJECTION, THEN YOU MUST ATTEND THE HEARING ON THIS MATTER. OTHERWISE, THE COURT MAY DEEM OPPOSITION WAIVED, TREAT THE OBJECTION AS CONCEDED, AND ISSUE AN ORDER SUSTAINING THE OBJECTION WITHOUT FURTHER NOTICE OR HEARING.**

**THE HEARING IS SCHEDULED TO BE HELD ON JULY 19, 2017 AT 11:10 AM AT THE U.S. BANKRUPTCY COURT, 701 EAST BROAD STREET, RICHMOND, VA 23219, IN COURTROOM NUMBER 5000.**

**COMES NOW**, Bank of America, N.A. ("Secured Creditor"), by Counsel, and objects to the confirmation of the Chapter 13 Plan filed February 8, 2017 (the "Plan") and in support thereof, represents unto the Court:

1. Secured Creditor has a claim against the property of the Debtor located at 2019 Rosewood Avenue, Richmond, VA 23220 (the "Property") by virtue of the Note and accompanying Deed of Trust.

2. The pre-petition arrearages due to Secured Creditor are approximately \$81,050.10. The Plan fails to provide for the repayment of this arrearage or maintenance for ongoing payments in violation of 11 U.S.C. § 1325.

3. Debtor's Plan is speculative with regard to the treatment of Secured Creditor and fails to identify the Property in the Plan in order to distinguish it from any other home.

4. Secured Creditor objects to the feasibility and ambiguity of the Plan, as the Debtor proposes to pay \$600.00 per month for 160 months, which exceeds the sixty months allowed under 11 U.S.C. § 1322.

5. Debtor is proceeding pro se but proposes to pay Debtor's attorney \$126,000.00 in the Plan, an amount which exceeds total plan funding of \$96,000.00.

6. Secured Creditor further objects any portion of the Plan which may be construed to propose a valuation for the Property.

7. The Plan fails to demonstrate that it passes the Chapter 7 liquidation test of 11 U.S.C. § 1325(a)(4).

8. Any Chapter 13 Plan proposed by the Debtor must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this Secured Creditor. It is respectfully requested that this Court deny confirmation of the Plan.

**WHEREFORE**, the undersigned requests as follows:

1. That confirmation of the proposed Chapter 13 Plan be denied;
2. Debtor be required to modify the Plan to honor the terms and conditions of the Deed of Trust; and
3. For such other relief as this Court deems proper.

Respectfully Submitted,

BANK OF AMERICA, N.A.

By: **/s/ BRANDON R. JORDAN**

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**CERTIFICATE OF SERVICE**

I certify that on May 23, 2017, the foregoing Objection was served via CM/ECF on Carl M. Bates, Trustee, at the email address registered with the Court, and that a true copy was mailed via first class mail, postage prepaid, to Colette NMN Mapp, Pro Se Debtor, P.O. Box 60535, Washington, DC 20011.

**/s/ BRANDON R. JORDAN**

Brandon R. Jordan, Esquire  
Samuel I. White, P. C.